

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MPower Communications Corp. (U-5859-C), nii Communications, Ltd., Blue Casa Communications, Inc. (U-6764-C), Wholesale Air-Time, Inc. (U-5758-C), Navigator Communications, LLC (U-6167-C), Anew Telecommunications Corp. d/b/a Call America (U-6598-C), TCAST Communications (U-5633-C), and CF Communications, LLC d/b/a Telekenex. (U-6647-C)

Complainants,

v.

Pacific Telephone Company d/b/a SBC California.
(U-1001-C)

Defendant.

Case 05-03-012
(Filed March 16, 2005)

**CHIEF ADMINISTRATIVE LAW JUDGE'S RULING
SHORTENING TIME TO RESPOND TO EMERGENCY MOTION**

On March 16, 2005, MPower Communications Corp., nii Communications, Ltd., Blue Casa Communications, Inc., Wholesale Air-Time, Inc., Navigator Communications, LLC, Anew Telecommunications Corp. d/b/a Call America, TCAST Communications, and CF Communications, LLC d/b/a Telekenex (collectively, Complainants) filed, together with their complaint against Pacific Telephone Company, doing business as SBC California, a motion seeking an order on an emergency interim basis pending the issuance of a final decision in this case. Complainants allege that SBC California has violated the Commission's directives regarding "unbundling and nondiscriminatory access to monopoly utility services," specifically: (1) Paragraph 2 of Decision

(D.) 02-12-081; (2) Pub. Util. Code § 451; and (3) Pub. Util. Code § 532. They contend that they meet the Commission's standards for injunctive relief, and ask the Commission to order SBC California "to accept and timely complete Complainants' new, move, and migration orders for DS1 and DS3 Unbundled Capacity Loops, DS1 and DS3 Unbundled Dedicated Transport, Unbundled Dark Fiber Loops, Unbundled Dark Fiber Dedicated Transport, and UNE-P (combinations of Unbundled Local Switching, DS0 Loops, and Common Transport), the ' Affected UNEs.'" Complainants also request an order shortening time to five days for SBC California to respond to the motion.

Pursuant to Rule 45(f) of the Commission's Rules of Practice and Procedure, a party has 15 days to respond to a motion "unless the administrative law judge sets a different date." To enable the Commission to obtain and consider SBC California's position in this matter prior to March 31, 2005, it is reasonable to shorten the time to respond to the emergency motion to a week from the date of filing, or to Wednesday, March 23, 2005. In addition, all responses shall be served electronically to ang@cpuc.ca.gov by 3:00 p.m.

SBC California and any other person desiring to respond shall file and serve all documents according to the Commission's Rules of Practice and procedure. In addition, electronic mail copies of all documents shall be provided to all parties, the Assigned Commissioner and Administrative Law Judge, and me on the date filed.

IT IS SO RULED.

Dated March 18, 2005, at San Francisco, California.

/s/ ANGELA K. MINKIN

Angela K. Minkin, Chief
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail, to the parties to which an electronic mail address has been provided, the attached Chief Administrative Law Judge's Ruling Shortening Time To Respond To Emergency Motion on all parties of record in this proceeding or their attorneys of record.

Dated March 18, 2005, at San Francisco, California.

/s/ JANET V. ALVIAR

Janet V. Alviar

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.